



IN THE PATENT AND TM OFFICE

Appn. Number: 09/690,657

Art Unit: 3635

Filing Date: 10/17/00

Applicant: Thompson, Thomas C.

Appn. Title: Hurricane And Storm Protection For Large Windows And Doors

Examiner: Dorsey, Dennis L.

Mailed August 09, 2004

RENEWED PETITION UNDER 37 CFR 1.181

Commissioner for Patents

P.O. Box 1450

Technology Center 3600

Alexandria, VA 22313-1450

RECEIVED

AUG 25 2004

GROUP 3600

Sir:

1. In response to the dismissed petition to withdraw the holding of abandonment, mailed by the USPTO on 06/09/04, the applicant is including statements as specified, for the non-receipt of the Notice of Non-Compliant Amendment, mailed by the USPTO on 08/11/03.
2. Copy of USPTO correspondence mailed to the applicant in August, 2003.

Very respectfully,

Thomas C. Thompson

3. Certificate of mailing:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on Aug 9, 2004

(Date)

Printed name of person signing this certificate: Thomas C. Thompson

Signature:

RESPONSE

1. **Applicant's statements of non-receipt should include a statement by him, and by anyone else at applicant's correspondence address, who would have handled the Office communication, and include any available documentary evidence of mail received, covering a reasonable period after the date of the Office communication, to show non-receipt of the communication in question. The applicant lived by himself at the time.**
2. I hereby certify that the Notice of Non-Compliant Amendment, mailed August 11, 2003, was not received by the applicant, Thomas C. Thompson, of 92-543 Kokole Place, Makakilo, HI 96707.

Printed name of person signing this certificate: Thomas C. Thompson

Signature

Thomas C Thompson

Date

Aug 9, 2004

3. The applicant is enclosing a copy of the correspondence received in the mail, around the same time period as the Office communication would have been received. The correspondence was received around the middle of August, 2003. It was addressed to the applicant, but had a different named applicant and different application number. Apparently, there was a mix-up at the USPTO. When this correspondence was received, the applicant called the USPTO. They said to sent the correspondence back to the USPTO. The applicant made a copy and sent it back. The applicant had no idea that this correspondence could have been mixed with his application number 09/690,657. Therefore, this copy was put into a miscellaneous file, not the 09/690,657 file.
4. **Copies of records on which the receipt date of the Office communication would have been entered had it been received are required if available. Also, a showing of any docket records or other method which would serve as a reminder of a response due date should be submitted. Whatever method applicant uses as a reminder, and**

submits in response to this decision should be adequately explained. When the applicant receives written communication from the USPTO, the applicant marks in his inventor's log book, the due date that the correspondence is due at the USPTO. There is no indication in the applicant's log book that said correspondence was received.

5. For any correspondence received from the USPTO, the applicant sends a copy to his brother, John Thompson, of 3267 Stuart St., Denver, CO 80212. The applicant's brother is a technical writer and helps the applicant write responses. For all correspondence of one or two pages, the applicant faxes a copy to John Thompson. For all telephone correspondence with the USPTO, the applicant calls his brother to relay the news. Otherwise, all USPTO correspondence is copied and sent by first class or priority mail to John Thompson. Since all correspondence between the applicant and John Thompson must be mailed or e-mailed, the applicant and John Thompson constantly remind each other of upcoming deadlines. Neither the applicant, nor John Thompson have any evidence that the 08/11/03 Office communication was received.

6. **Also, a statement is required that a search of the file maintained by the applicant , or any other location where correspondence from the USPTO is kept, failed to find a copy of the Office communication in question.** I hereby certify that the Notice of Non-Compliant Amendment, mailed August 11, 2003, was searched for in application files maintained by the applicant, Thomas C. Thompson, of 92-543 Kokole Place, Makakilo, HI 96707, but was not found.

Printed name of person signing this certificate: Thomas C. Thompson

Signature: Thomas C Thompson Date: Aug 9, 2004

The applicant has prosecuted over 20 patent applications. 17 have issued. The applicant has several hundred pounds of prior art patents and office communications. The applicant

has been using the large Tyvek United States Postal Service (USPS) Priority Mail mailers, as they don't rip with all the heavy correspondence. Some older applications have used two mailers. They are labeled on the outside with the application number and the invention name. Original specifications and drawings, and all correspondence, including office actions, responses, postcards, and USPS certificates of mailing are included in the USPS mailers. There are just a few current mailers. The applicant's mailer containing correspondence about application number 09/690,657 is quite sparse compared to others, but it was searched many times and the 08/11/03 office communication was not found.

8. **Finally, applicant must state that he was in fact at the correspondence address of record at the time the Office action would have been received.** I hereby certify that I was at my residence at 92-543 Kokole Place, Makakilo, HI 96707, for at least a week after the Office action was mailed.

Printed name of person signing this certificate: Thomas C. Thompson

Signature: Thomas C Thompson Date: Aug 9, 2004

9. The applicant faxed a correspondence to the USPTO from his home fax machine on August 13, 2003. The fax was in reference to application number 09/396,128. It was sent to Mr. Ken Dorner, at (703) 605-0586, from the applicant's home fax machine at (808) 672-3107.

10. The applicant had forgotten about the correspondence that had the applicant's name and address, but the wrong application and applicant. Luckily, it was found in the applicant's miscellaneous file. It proves that the USPTO sent a correspondence to the applicant, and it was received. But it was the wrong correspondence, and the applicant could not know it should be in reference to application number 09/690,657. The applicant respectfully requests that the holding of abandonment be withdrawn.